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HENNIGAN, BENNETT & DORMAN LLP
RODERICK G. DORMAN (SBN 96908)
ALAN P. BLOCK (SBN 143783)
KEVIN SHENKMAN (SBN 223315)
601 South Figueroa Street, Suite 3300
Los Angeles, California 90017
Phone: (213) 694-1200
Fax: (213) 694-1234
dormanr@hbdlawyers.com
blocka@hbdlawyers.com
shenkmank@hbdlawyers.com

Attorneys for Plaintiff
ACACIA MEDIA TECHNOLOGIES CORPORATION

UNITED STATES DISTRICT COURT

FOR THE NORTHERN DISTRICT OF CALIFORNIA

SAN JOSE DIVISION

In re ACACIA MEDIA TECHNOLOGIES CORPORATION	Case No. 05 CV 01114 JW **DECLARATION OF ALAN P. BLOCK IN SUPPORT OF PLAINTIFF ACACIA MEDIA TECHNOLOGIES CORPORATION'S MOTION FOR RECONSIDERATION AND CLARIFICATION OF THE COURT'S JULY 12, 2004 MARKMAN ORDER** **DATE:** September 8-9, 2005 **TIME:** 9:00 a.m. **CTRM:** Hon. James Ware

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I, Alan P. Block, hereby declare as follows:

1. I am a member of the law firm of Hennigan, Bennett & Dorman LLP, counsel of record for plaintiff Acacia Media Technologies Corporation in this case. I have personal knowledge of the facts stated herein and, if called as a witness, I could and would testify competently thereto.

2. Attached hereto as Exhibit 1 is a true and correct copy of the Court's July 12, 2004 Markman Order.

3. Attached hereto as Exhibit 2 is a true and correct copy of U.S. Patent No. 5,132,992.

4. Attached hereto as Exhibit 3 is a true and correct copy of U.S. Patent No. 6,144,702.

5. Attached hereto as Exhibit 4 is a true and correct copy of *Phillips v. AWH Corp.*, 2005 U.S. App. LEXIS 13954.

6. Attached hereto as Exhibit 5 is a true and correct copy of U.S. Patent No. 5,253,275.

7. Attached hereto as Exhibit 6 is a true and correct copy of selected sections of M.P.E.P, Seventh Edition, July 1998, obtained from http://www.uspto.gov/web/offices/pac/mpep/indexold.htm.

8. Attached hereto as Exhibit 7 is a true and correct copy of the cover page and page 18 of Defendants' Responsive Claim Construction Brief Regarding United States Patent No. 6,144,702.

9. Attached hereto as Exhibit 8 is a true and correct copy of selected documents from the file history of U.S. Patent No. 6,144,702.

I declare under the penalty of perjury under the laws of the United States of America that the foregoing is true and correct.

Executed this 29th day of July, 2005, at Los Angeles, California.

Alan P. Block

Hennigan, Bennett & Dorman LLP
Lawyers
Los Angeles, California